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SERIES I No. 31

OFFICIAL GOVERNMENT OF GOA GAZETTE



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NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 30 dated 24-10-2013, namely, Extraordinary dated 29-10-2013 from pages 1245 to 1248 regarding The Goa Motor Vehicles (Amendment) Rules, 2013 from Department of Transport.

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GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Notification

3/5/M&F/Scheme/37/2013-14/D.Agri/611

The soils of the State are acidic in nature and requires to be amended. The soils are

also deficient in micronutrients. Soil sample collection and analysis to determine soil health is an integral part of soil improvement for increasing the crop production in the State.

The State also requires to use non-conventional energy generated out of cattle dung waste and residues of crop by

construction of biogas plants which could be used for cooking and lighting thereby reducing the pressure on burning of biomass in villages.

The green matter and other agricultural waste available in the field is required to be decomposed thereby producing highly enriched manure or vermi compost which could be used for increasing the production of crops.

The Government is therefore pleased to notify the scheme for the same as under:

1. *Short title & commencement.*— (i) The scheme shall be called as “Development of manures and fertilizers.”

(ii) This scheme shall come into force from the date of its notification in the Official Gazette and shall be in force till the same is amended or terminated by the Government.

2. *Objective of the scheme.*— (i) To analyze the soil samples to determine the major and minor nutrient in soils.

(ii) Promotion of use soil conditioner to reduce the soil acidity and bring the pH to normal for better crop production.

(iii) Promotion of use of micronutrients like Zinc, Boron, Magnesium which are found to be deficient in the soils of State for better crop yields.

(iv) Construction of biogas plants for generating energy for cooking, heating, lighting and running small Agro industries units, pumps etc. which would reduce the smoke related diseases and improve the quality of life.

(v) Construction of organic manure and vermi compost units for production of organic manures, out of farm waste from crops and animals.

3. *Components of the scheme.*— The scheme would be implemented with following components:

- (i) Free Analysis of soil samples.
- (ii) Assistance for use of soil conditioner.
- (iii) Assistance for use of micronutrients.
- (iv) Assistance for construction of biogas plants.
- (v) Assistance for construction of organic manure units.
- (vi) Assistance for vermi compost units.

4. *Eligibility.*— (i) Any farmer carrying out agricultural activities in the State as sole owner, co-owner lessee or tenant.

(ii) He should be cultivating minimum of 0.2 ha in general. However, in case of analysis of soil samples, construction of biogas plants & construction of organic manure units there would be no limitation of area.

(iii) Institution and private limited companies involved in agriculture activities will also be eligible for assistance under the scheme.

5. *Pattern of assistance.*— (i) Free analysis of soil samples: Soil samples from farmer's fields will be collected and analyzed in the soil testing laboratories at Ela, Old-Goa and Margao for major nutrients free of cost. Soil Health Card shall be issued with recommendation of fertilizers. Analysis of soil for micronutrient would be done free of cost on village basis and as per the elevation of area Soil Health Card shall be issued with recommendation for use of micronutrient. The Soil Health Card would also provide soil pH for determining the nature of soils. The expenditure on collection of soil sample, chemicals, reagents and equipment shall be incurred by the Department.

(ii) Assistance for use of soil conditioner: The soil conditioners like Rock Phosphate, lime etc., would be provided 75% subsidy limited to Rs. 4,500/- per ha for maximum of 4 ha per farmer. The ST/SC farmers would be provided 90% subsidy limited to Rs. 5400/- per ha. The soil conditioner would be purchased and used by farmer and the subsidy would be released after the use of the same in the field.

iii) Assistance for use of micronutrients: Micronutrients like Zinc, Boron, Magnesium Sulphate and other notified micronutrients would be provided 75% subsidy limited to Rs. 6000/- per ha for maximum of 4 ha per farmer. The ST/SC farmers would be provided 90% subsidy limited to Rs.7200/- per ha. The subsidy would be released after the micronutrients are purchased and used by farmers.

iv) Assistance for construction of biogas plants: Biogas plants constructed by farmer would be provided 90% subsidy against the estimated standard cost of construction for biogas as below:

Sr. No.	Size of Biogas plant	Estimated Standard cost (Rs.)	90% subsidy including Central Subsidy
1.	1 cu. mt.	17800	12000
2.	2 cu. mt.	23700	13000
3.	3 cu. mt.	26500	15500
4.	4 cu. mt.	33000	21500
5.	6 cu. mt. and above	43500	31000

The incentive for promotion of biogas would be provided @ Rs.1000/- per plant to the promoters.

The subsidy provided by Government of India under promotion of non-conventional energy shall be adjusted within this subsidy and balance shall be paid from State funds.

v) Assistance for construction of organic manure units: Construction of pucca compost units would be provided 50% subsidy limited to Rs. 1000/- per cu. mt. of compost pits. The standard cost for compost pit would be Rs. 2000/- per cu. mt. which includes 80% cost on construction material like sand, cement, stones etc., and 20% on the culture, decomposing material etc., which are

recurring in nature. The SC/ST farmers would be provided 75% subsidy limited to Rs.1500/- per cu.mt.

vi) Assistance for vermi compost units: Construction of vermi compost units would be provided 75% subsidy limited to Rs.1500/- per cub. mt. The unit shall have cement concrete floor with internally plastered walls. A masonry channel of size 20 cm x 10 cm (width x depth) should be provided around the base of the chamber for ant proofing. Wire mesh mounted on M.S. angle frame should be provided to cover the unit to prevent attack of birds, lizards & rodents from feeding on earth worms.

The portable composting units of 450 G.S.M. HDPE material would also be considered for subsidy as per above pattern.

Subsidy in item at Sr. No. (v) and (vi) shall be released after one cycle of the compost is obtained.

The assistance provided by Government of India towards above programme under any other scheme would be adjusted within the total subsidy and balance subsidy shall be paid by the State Government.

6. *Guidelines and procedure.*— (i) The interested farmer shall submit their application along with cash memo for purchase of inputs under the scheme to the Zonal Agriculture Officer.

ii) In case of construction of biogas, the farmer would apply along with cost estimates in advance to the Zonal Agriculture Officer.

iii) The Zonal Agriculture Officer would scrutinize the proposal for the documents required and inspect the site and submit the same to Dy. Director of Agriculture I/C Manure & Fertilizer for scrutiny.

(iv) The Dy. Director of Agriculture I/C Manures & Fertilizer shall examine and recommend the claim for sanction of Director of Agriculture.

(v) The subsidy sanctioned would be order for payment through Electronic Clearance System (ECS).

7. *Relaxation.*— The Government shall be empowered to relax any or all clauses or conditions of the scheme in genuine cases. However for release of financial assistance in such case will be considered only with the approval of Finance (Exp.) Department.

8. *Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision shall lie with the Government, which shall be final and binding on all concerned.

9. *Redressal of Grievances and Disputes.*— Grievances if any, arising out of the implementation of this scheme, shall be heard and decided by the Minister for Agriculture and the decision of the Minister of Agriculture in this regard shall be final and binding on all concerned.

This issues with the concurrence of the Finance Department under their U.O. No. 1482975 dated 12-09-2013.

By order and in the name of the Governor of Goa.

P. Tufani, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 8th October, 2013.

◆◆◆
Department of Civil Supplies and
Consumer Affairs

Notification

DCS/ENF/CONT-Order/FS/368

Order bearing No. S. O. 2927(E) dated 27th September, 2013 issued by the Ministry of Consumer Affairs, Food and Public Distribution, Government of India published in Part II Section 3, Sub-Section (ii) of the

Gazette of India (Extraordinary) dated 27th September, 2013 making Order further to amend the Removal of (Licensing requirements, Stock limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, is hereby republished for general information of the public.

Vikas S. N. Gaunekar, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).

Panaji, 25th October, 2013.

**MINISTRY OF CONSUMER AFFAIRS, FOOD
AND PUBLIC DISTRIBUTION**

(Department of Consumer Affairs)

Order

New Delhi, the 27th September, 2013

S.O. 2927(E).— In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order further to amend the Removal of (Licensing requirements, Stock limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, namely:—

1. (1) This order may be called the Removal of (Licensing requirements, Stock limits and Movement Restrictions) on Specified Foodstuffs (Amendment) Order, 2013.

(2) It shall come into force on the 1st day of October, 2013.

2. In the Removal of (Licensing requirements, Stock Limits and Movement Restrictions) on Specified Foodstuffs Order, 2002, in clause 7 as inserted by notification of the Government of India with Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), vide number S.O. 654 (E) dated the 30th March, 2011, in sub-clause (1), for item (i) the following item shall be substituted, namely:—

(i) pulses, edible oils and edible oilseeds for a period upto 30th September, 2014."

[F. No. 10/1/2006-ECR&E]

Dr. K. G. RADHAKRISHNAN, Economic Adviser

Note: - The principal order was published in the Gazette of India, Extraordinary, Part II, Section 3,

sub-section (ii) vide number G.S.R. 104 (E) dated the 15th February, 2002 and subsequently amended by numbers G.S.R. 490 (E) dated the 16th June, 2003, S.O. 1373 (E) dated the 29th August, 2006, S.O. 297 (E) dated the 27th February, 2007 and S.O. 1488 (E) dated the 31st August, 2007, S.O. 400 (E) dated the 28th February, 2008, S.O. 823 (E) dated the 7th April, 2008, S.O. 2117 (E) dated the 27th August, 2008, S.O. 2118 (E) dated the 27th August, 2008, S.O. 2247 (E) dated the 22nd September, 2008, S.O. 2248 (E) dated the 22nd September, 2008, S.O. 2249 (E) dated the 22nd September, 2008, S.O. 649 (E) dated the 9th March, 2009, S.O. 880 (E) dated the 30th March, 2009, S.O. 905 (E) dated the 2nd April, 2009, S.O. 906 (E) dated the 2nd April, 2009, S.O. 1621 (E) dated the 2nd July, 2009, S.O. 2461 (E) dated the 25th September, 2009, S.O. 3249 (E) dated the 18th December, 2009, S.O. 2361 (E) dated the 29th September, 2010, S.O. 3060 (E) dated the 30th December, 2010, S.O. 654 (E) dated the 30th March, 2011, S.O. 2227(E) dated the 27th September, 2011, S.O. 2447 (E) dated the 28th October, 2011, S.O. 2716 (E) dated the 29th November, 2011 and S.O. 2320 (E) dated the 27th September, 2012.



Department of Finance

Audit Division

Notification

1-24-2008/Fin(Audit)

The Governor of Goa in consultation with the Comptroller & Auditor General of India is pleased to entrust in public interest, the audit of the accounts of Goa State Commission for Backward Classes under sub-section 3 of Section 19 of the Comptroller and Audit General's (Duties, Powers and Conditions of Service) Act, 1971 to the Comptroller & Auditor General of India for a further period of 5 years w.e.f. 1-4-2014 to 31-03-2019 on the terms and conditions specified in the Annexure appended hereto.

By order and in the name of the Governor of Goa.

P. Krishnamurthy, Secretary (Finance).

Porvorim, 23rd October, 2013.

ANNEXURE

TERMS AND CONDITIONS

1. The CAG of India may suggest the appointment of a primary auditor to conduct the audit on his behalf and on the basis of directions/ guidelines issued by him. Where such an auditor is appointed, the fees will be payable by the Institution to that auditor. Where such an auditor is not appointed, expenditure incurred by CAG of India in connection with the audit will be payable to him by the Institution.
2. In addition to audit to be conducted by the primary auditors, where so appointed, CAG of India will have the right to conduct test check of the accounts and to comment on and supplement the report of the primary auditor.
3. The CAG of India or any person appointed by him in connection with the audit, shall have the same rights, privileges and authority as the CAG has in connection with the audit of Government accounts.
4. The result of audit will be communicated by CAG or any person appointed by him to the Governing body who shall submit a copy of the report alongwith its observations to the Government. The CAG will also forward a copy of the report direct to Government.
5. The audit entrusted to the CAG in public interest will be for a period of 5 years accounts from 1-4-2014 to 31-3-2019 in the first instance, subject to review of the arrangement after that period.
6. The scope, extent and manner of conducting audit shall be as decided by the CAG of India.
7. The CAG will have the right to report to Parliament/State Legislature the results of audit at his discretion.

Revenue & Control Division

Office Memorandum

12/3/82-Fin(R&C)/Vol. I

A copy of the under mentioned Office Memorandum received from the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Pension & Pensioners Welfare, New Delhi is forwarded herewith for being published in the Official Gazette.

Ajit S. Pawaskar, Under Secretary, Finance (R&C).

Porvorim, 23rd October, 2013.

GOVERNMENT OF INDIA
Ministry of Personnel, Public Grievances &
Pensions
Department of Pensions & Pensioners' Welfare

3rd floor, Lok Nayak
Bhavan, Khan Market,
New Delhi - 110003.
Dated: 3rd October, 2013.

Office Memorandum

42/13/2012-P&PW(G)

Subject: Grant of Dearness Relief to Central Government pensioners/family pensioners—Revised rate effective from 1-7-2013.

The undersigned is directed to refer to this Department's OM No. 42/13/2012-P&PW(G) dated 2nd May, 2013 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief (DR) payable to Central Government pensioners/family pensioners shall be enhanced from the existing rate of 80% to 90% w.e.f. 1st July, 2013.

2. These orders apply to (i) All Civilian Central Government Pensioners/Family Pensioners (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Service Estimates, (iii) All India Service Pensioners (iv) Railway Pensioners and (v) The Burma Civilian pensioners/family pensioners and pensioners/families of displaced Government pensioners from Pakistan, who are Indian Nationals but receiving pension on behalf of Government of Pakistan and are in receipt of ad hoc ex-gratia allowance of Rs. 3500/- p.m. in terms of this Department's OM No. 23/1/97-P&PW(B) dated 23-2-1998 read with this Department's OM No. 23/3/2008-P&PW(B) dated 15-9-2008.

3. Central Government Employees who had drawn lumpsum amount on absorption in a PSU/Autonomous body and have become eligible to restoration of 1/3rd commuted portion of pension as well as revision of the restored amount in terms of this Department's OM No. 4/59/97-P&PW (D) dated 14-07-1998 will also be entitled to the payment of DR @ 90% w.e.f. 1-7-2013 on full pension i.e. the revised pension which the absorbed employee would have received on the date of restoration had he not drawn lumpsum payment on absorption and Dearness Pension subject to

fulfillment of the conditions laid down in para 5 of the OM dated 14-07-98. In this connection, instructions contained in this Department's OM No. 4/29/99-P&PW (D) dated 12-7-2000 refer.

4. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee.

5. Other provisions governing grant of DR in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's OM No. 45/73/97-P&PW(G) dated 2-7-1999 as amended vide this Department's OM No. F. No. 38/88/2008-P&PW(G) dated 9th July, 2009. The provisions relating to regulation of DR where a pensioner is in receipt of more than one pension, will remain unchanged.

6. In the case of retired Judges of the Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.

7. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc., to calculate the quantum of DR payable in each individual case.

8. The offices of Accountant General and Authorised Public Sector Banks are requested to arrange payment of relief to pensioners etc., on the basis of these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No. 528-TA, II/34-80-11 dated 23-04-1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64 (ii) (CGL)/81 dated the 21st May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.

9. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue after consultation with the C&AG.

10. This issues with the concurrence of Ministry of Finance, Department of Expenditure conveyed vide their OM No. 1(4)/EV/2004 dt. 01st Oct., 2013.

Sd/-
CHARANJIT TANEJA,
Under Secretary to the Govt. of India

Department of Law & Judiciary

Legal Affairs Division

Notification

10/3/2013-LA/103

The Right of Children to Free and Compulsory Education (Amendment) Act, 2012 (Central Act No. 30 of 2012), which has been passed by the Parliament and assented to by the President on 19-6-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 19-06-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

THE RIGHT OF CHILDREN TO FREE AND
COMPULSORY EDUCATION (AMENDMENT)
ACT, 2012

AN

ACT

to amend the Right of Children to Free and Compulsory Education Act, 2009.

Be it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Right of Children to Free and Compulsory Education (Amendment) Act, 2012.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 1.*— In the Right of Children to Free and Compulsory Education Act, 2009^{35 of 2009}, (hereinafter referred to as the

principal Act), in section 1, after sub-section (3), the following sub-sections shall be inserted, namely:—

“(4) Subject to the provisions of articles 29 and 30 of the Constitution, the provisions of this Act shall apply to conferment of rights on children to free and compulsory education.

(5) Nothing contained in this Act shall apply to Madrasas, Vedic Pathshalas and educational institutions primarily imparting religious instruction.”.

3. *Amendment of section 2.*— In the principal Act, in section 2,—

(a) in clause (d), after the word “means”, the words “a child with disability or” shall be inserted;

(b) after clause (e), the following clause shall be inserted, namely:—

“(ee) “child with disability” includes,—

(A) a child with “disability”, as defined in clause (i) of section 2 of the Persons with Disabilities (Equal) Opportunities, Protection of Rights and Full Participation) Act, 1995; 1 of 1996.

(B) a child, being a person with disability as defined in clause (j) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999; 44 of 1996.

(C) a child with “severe disability” as defined in clause (o) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999. 44 of 1999.

4. *Amendment of section 3.*— In section 3 of the principal Act,—

(a) for sub-section (1), the following sub-

-section shall be substituted, namely:—

(1) Every child of the age of six to fourteen years, including a child referred to in clause (d) or clause (e) of section 2, shall have the right to free and compulsory education in a neighbourhood school till the completion of his or her elementary education.

(b) in sub-section (2), the proviso shall be omitted;

(c) after sub-section (2), the following sub-section shall be inserted, namely:—

‘(3) A child with disability referred to in sub-clause (A) of clause (ee) of section 2 shall, without prejudice to the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and a child referred to in sub-clauses (B) and (C) of clause (ee) of section 2, have the same rights to pursue free and compulsory elementary education which children with disabilities have under the provisions of Chapter V of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995: 1 of 1996.

Provided that a child with “multiple disabilities” referred to in clause (h) and a child with “severe disability” referred to in clause (o) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 1 of 1996. may also have the right to opt for home-based education.’.

5. *Amendment of section 21.*— In section 21 of the principal Act, in sub-section (2), the following proviso shall be inserted, namely:—

“Provided that the School Management Committee constituted under sub-section

(1) in respect of,—

(a) a school established and administered by minority whether based on religion or language; and

(b) all other aided schools as defined in sub-section (ii) of clause (n) of section 2,

shall perform advisory function only.”.

6. *Amendment of section 22.*— In section 22 of the principal Act, in sub-section (1), for the words “School Management Committee, constituted”, the words “School Management Committee, except the School Management Committee in respect of a school established and administered by minority, whether based on religion or language and an aided school as defined in sub-clause (ii) of clause (n) of section 2, constituted” shall be substituted.

7. *Amendment of section 25.*— In section 25 of the principal Act, in sub-section (1), for the words “Within six months”, the words “Within three years” shall be substituted.

8. *Insertion of new section 39.*— After section 38 of the principal Act, the following section shall be inserted, namely:—

“39. *Power of Central Government to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of three years from the commencement of the Right of Children to Free and Compulsory Education (Amendment) Act, 2012.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.”.

Notification

10/3/2013-LA/104

The Anand Marriage (Amendment) Act, 2012 (Central Act No. 29 of 2012), which has been passed by the Parliament and assented to by the President on 07-06-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 07-06-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

THE ANAND MARRIAGE (AMENDMENT)
ACT, 2012

AN

ACT

further to amend the Anand Marriage Act, 1909.

Be it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Anand Marriage (Amendment) Act, 2012.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Anand Marriage Act, 1909 (hereinafter referred to as the principal Act), after the words “the Sikh Marriage ceremony called Anand”, the words “(commonly known as Anand Karaj)” shall be inserted.

3. *Insertion of new section 6.*— After section 5 of the principal Act, the following section shall be inserted, namely:—

“6. *Registration of marriages.*—

(1) For the purposes of facilitation of proof of marriage ceremony

(commonly known as Anand Karaj) customary among the Sikhs, the State Government shall, without prejudice to anything contained in the Hindu Marriage Act, 1955 or any other law for the time being in force, make rules providing that the parties to any such marriage [whether solemnized before or after the commencement of the Anand Marriage (Amendment) Act, 2012], may have the particulars relating to their marriage entered, in such manner and subject to such conditions as may be provided in the said rules, in a Marriage Register kept by such officer of the State Government or of a local authority authorised by the State Government, by notification in the Official Gazette, in this behalf.

(2) The Marriage Register shall, at all reasonable times, be open for inspection, and shall be admissible as evidence of the statements contained therein and certified extracts therefrom shall, on an application, be given by the Registrar to the parties to the marriage on payment of such fees as may be provided in the rules.

(3) Notwithstanding anything contained in this section, the validity of any Anand Marriage solemnized shall in no way be affected by the omission to make an entry in the Marriage Register.

(4) Every rule made by the State Government under this section shall be laid before the State Legislature, as soon as may be, after they are made.

(5) The parties to the marriage, whose marriage has been registered under this Act, shall not be required to get their marriage registered under any other law for the time being in force (including State Act).”.

Notification

10/3/2013-LA/105

The National Institutes of Technology (Amendment) Act, 2012 (Central Act No. 28 of 2012), which has been passed by the Parliament and assented to by the President on 07-06-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 07-06-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

THE NATIONAL INSTITUTES OF
TECHNOLOGY (AMENDMENT) ACT, 2012

AN

ACT

to amend the National Institutes of Technology Act, 2007.

Be it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the National Institutes of Technology (Amendment) Act, 2012.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of long title.*— In the National Institutes of Technology Act, 2007 (hereinafter referred to as ^{29 of 2007.} the principal Act), in the long title, for the words “certain institutions of technology”, the words “certain institutions of technology, science education and research” shall be substituted.

3. *Amendment of section 1.*— In section 1 of the principal Act, in sub-section (1), for the words “National Institutes of

Technology”, the words “National Institutes of Technology, Science Education and Research” shall be substituted.

4. *Amendment of section 2.*— In section 2 of the principal Act, for the words “the Schedule”, the words “the First Schedule and the Second Schedule” shall be substituted.

5. *Amendment of section 3.*— In section 3 of the principal Act,—

(i) in clause (c), for the words “the Schedule” at both the places where they occur, the words “the First Schedule and the Second Schedule” shall be substituted;

(ii) in clause (d), after the word and figures “section 30”, the words, brackets, figures and letter “or sub-section (1) of section 30A, as the case may be,” shall be inserted;

(iii) in clause (g), for the words “the Schedule”, the words “the First Schedule and the Second Schedule” shall be substituted;

(iv) in clause (k), for the words “the Schedule”, the words “the First Schedule and the Second Schedule” shall be substituted;

(v) in clause (m), for the words “the Schedule”, the words “the First Schedule and the Second Schedule” shall be substituted.

6. *Amendment of section 4.*— In section 4 of the principal Act, in sub-section (1), for the words, “the Schedule” the words “the First Schedule and the Second Schedule” shall be substituted.

7. *Amendment of section 6.*— In section 6 of the principal Act, in sub-section (1), in clause (h), the words “and the Deputy Director” shall be omitted.

8. *Amendment of section 11.*— In section 11 of the principal Act,—

(i) for the word “Institute” wherever it occurs, the words “Institute mentioned in the First Schedule” shall be substituted;

(ii) in clause (e), the word “and” occurring at the end shall be omitted;

(iii) after clause (f), the following clause shall be inserted, namely:—

“(g) the Director of the Indian Institute of Technology in whose zone the Institute is located, or his nominee, not below the rank of a Professor.”.

9. *Insertion of new section 11A.*— After section 11 of the principal Act, the following section shall be inserted, namely:—

“11A. *Board of Institutes of Second Schedule.*— The Board of every Institute mentioned in the Second Schedule shall consist of the following members, namely:—

(a) the Chairperson to be nominated by the Visitor;

(b) Secretary, Department of Higher Education, Government of India, or his nominee not below the rank of the Joint Secretary to the Government of India, *ex officio*;

(c) Director of the Institute, *ex officio*;

(d) Director of Indian Institute of Science, Bangalore, *ex officio*;

(e) Director of one of the Indian Institutes of Technology, to be nominated by the Central Government;

(f) two Secretaries to the Government of India, to be nominated by the Central Government representing its Scientific or Industrial Ministries;

(g) Chief Secretary of the State in which the Institute is located, or his nominee not below the rank of the Joint Secretary to the Government of India, *ex officio*;

(h) two professors of the Institute to be nominated by the Senate;

(i) two eminent scientists, to be nominated by the Council, having special knowledge or practical

experience in respect of education, engineering or science, one of whom shall be a woman; and

(j) Financial Advisor, Ministry of Human Resource Development, *ex officio*.”.

10. *Amendment of section 12.*— In section 12 of the principal Act,—

(i) in clause (c), after the figures “11”, the words, brackets, letters and figures “and clause (h) of section 11A” shall be inserted;

(ii) in clause (d), after the word and figures “section 11”, the words, figures and letter “or section 11A, as the case may be,” shall be inserted;

(iii) in clause (f), after the figures “11”, the words, brackets, letters and figures “and clauses (c) and (h) of section 11A” shall be inserted.

11. *Amendment of section 17.*— In section 17 of the principal Act,—

(a) in sub-section (1), the words “and Deputy Director” shall be omitted;

(b) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The Deputy Director of every Institute shall be appointed in such manner and on such terms and conditions as may be laid down by the Statutes and shall exercise such powers and perform such duties as may be assigned to him by this Act or the Statutes or by the Director.”.

12. *Amendment of section 24.*— In section 24 of the principal Act, the words “and Deputy Director” shall be omitted.

13. *Amendment of section 30.*— In section 30 of the principal Act, in sub-section (1), for the word “Schedule”, the words “First Schedule” shall be substituted.

14. *Insertion of new section 30A.*— After section 30 of the principal Act, the following section shall be inserted, namely:—

“30A. *Establishment of Council for the Institutes of Second Schedule.*— (1) With effect from such date as the Central Government may, by notification, specify in this behalf, there shall be established for all the Institutes specified in column 3 of the Second Schedule, a central body to be called the Council.

(2) The Council under sub-section (1) shall consist of the following members, namely:—

(a) the Minister in charge of the Ministry or Department of the Central Government having administrative control of the technical education, *ex officio*, chairman;

(b) the Secretary to the Government of India in charge of the Ministry or Department of the Central Government having administrative control of the technical education, *ex officio*, Vice-Chairman;

(c) the Chairperson of every Board of the Institutes mentioned in the Second Schedule, *ex officio*;

(d) the Director of every Institute mentioned in the Second Schedule, *ex officio*;

(e) the Chairman, University Grants Commission, *ex officio*;

(f) the Director-General, Council of Scientific and Industrial Research, *ex officio*;

(g) four Secretaries to the Government of India to represent the Ministries or Departments of the Central Government dealing with bio-technology, atomic energy, information technology and space, *ex officio*;

(h) the Chairman, Defence Research and Development Organisation, *ex officio*;

(i) not less than three, but not more than five persons to be nominated by the Visitor, at least one of whom shall be a woman, having special knowledge or

practical experience in respect of education, industry, science or technology;

(j) three members of Parliament, of whom two shall be chosen by the House of the People and one by the Council of States:

Provided that the office of member of the Council shall not disqualify its holder for being chosen as or for being, a member of either House of Parliament;

(k) two Secretaries to the State Government, from amongst the Ministries or Departments of that Government dealing with technical education where the Institute is located, *ex officio*;

(l) Financial Adviser, dealing with the Human Resource Development Ministry or Departments of that Government dealing with technical education where the Institute is located, *ex officio*; and

(m) one officer not below the rank of the Joint Secretary to the Government of India in the Ministry or Department of the Central Government having administrative control of the scientific or technical education, *ex officio*, Member-Secretary.”.

15. *Amendment of section 31.*— In section 31 of the principal Act, in sub-section (2), after the word and figures “section 30”, the words, brackets, letters and figures “and clause (j) of sub-section (2) of section 30A” shall be inserted.

16. *Amendment of section 37.*— In section 37 of the principal Act,—

(i) in clause (a), after the words “every Institute”, the words “mentioned in the First Schedule” shall be inserted;

(ii) after clause (b), the following clauses shall be inserted, namely:—

“(c) recruitment process and disciplinary proceedings, which had commenced before the commencement of the National Institutes of Technology

(Amendment) Act, 2012, shall be completed, *mutatis mutandis*, in accordance with the relevant provisions in force immediately before such commencement.

Explanation:— Recruitment process for a post may be taken to have commenced from the date of publication of the advertisement inviting application for the post, and disciplinary proceedings against an employee of the Institute may be taken to have commenced on the date of issue of charge sheet for major penalty or show cause notice for minor penalty to such employee;

(d) all matters, which are meant to be provided through Statutes and Ordinances under sections 25 and 27, respectively, shall, till such Statutes and Ordinances are made, be governed, *mutatis mutandis*, by the corresponding provisions in force immediately before the commencement of this Act.”.

17. *Transitional provisions in respect of Institutes of Second Schedule.*—Notwithstanding anything contained in this Act,—

(a) the Board of every Institute specified in the Second Schedule functioning as such immediately before the commencement of this Act shall continue to so function until a new Board is constituted for that Institute under this Act, but on the constitution of a new Board under this Act, members of the Board holding office before such constitution shall cease to hold office;

(b) every Senate constituted in relation to every Institute before the commencement of this Act shall be deemed to be the Senate constituted under this Act unless a Senate is constituted under this Act for that Institute but on the constitution of a new Senate under this Act, members of the Senate holding office before such constitution shall cease to hold office.

18. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of the National Institutes of

Technology (Amendment) Act, 2012, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

19. *Amendment of Schedule.*— (1) The Schedule to the principal Act shall be numbered as the First Schedule and in the First Schedule as so numbered, after Sl. No. 20 and the entries relating thereto, the following shall be inserted, namely:—

- | | |
|--|--|
| “21. National Institute of Technology, Goa Society | National Institute of Technology, Goa. |
| 22. National Institute of Technology, Puducherry Society | National Institute of Technology, Puducherry. |
| 23. National Institute of Technology, Delhi Society | National Institute of Technology, Delhi. |
| 24. National Institute of Technology, Sumari (Srinagar), Uttarakhand Society | National Institute of Technology, Uttarakhand. |
| 25. National Institute of Technology, Sohra (Meghalaya) Society | National Institute of Technology, Meghalaya. |
| 26. National Institute of Technology, Mizoram Society | National Institute of Technology, Mizoram. |
| 27. National Institute of Technology, Manipur Society | National Institute of Technology, Manipur. |
| 28. National Institute of Technology, Nagaland Society | National Institute of Technology, Nagaland. |
| 29. National Institute of Technology, Arunachal Pradesh Society | National Institute of Technology, Arunachal Pradesh. |
| 30. National Institute of Technology, Sikkim | National Institute of Technology, Sikkim.”. |

(2) After the First Schedule as so numbered, the following Schedule shall be inserted, namely:—

“THE SECOND SCHEDULE
[See sections 3(g), (m), 4(1) and 11A]
**List of Indian Institutes of Science
Education Research**

Sl. No.	Society	Corresponding Institute
1	2	3
1.	Indian Institute of Science Education and Research, Kolkata Society	Indian Institute of Science Education and Research, Kolkata.
2.	Indian Institute of Science Education and Research, Pune Society	Indian Institute of Science Education and Research, Pune.
3.	Indian Institute of Science Education and Research, Mohali Society	Indian Institute of Science Education and Research, Mohali.
4.	Indian Institute of Science Education and Research, Bhopal Society	Indian Institute of Science Education and Research, Bhopal.
5.	Indian Institute of Science Education and Research, Thiruvananthapuram Society	Indian Institute of Science Education and Research, Thiruvananthapuram.”

—————
Notification

10/3/2013-LA/108

The following Corrigenda issued to the Redjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Ordinance, 2013 (Ordinance No. 2 of 2013) and which is published in the Gazette of India, Extraordinary, Part II, Section I dated the 2nd April, 2013 (Issue No. 17), is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

Corrigenda

In the Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Ordinance, 2013 (Ord. 2 of 2013) as published in Gazette of India, Extraordinary, Part II, Section 1, dated the 30th January, 2013 (Issue No. 7):—

1. At page 1, in the long title, for “the inclusion”, read “inclusion”.
2. At page 2, in line 9, for “Scheduled”, read “Scheduled”.
3. At page 3,—
 - (i) in line 31, for “disolution”, read “dissolution”;
 - (ii) in line 37, for “ommission”, read “omission”.
 - (iii) in line 40, for “expedient”, read “expedient”.

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Notification

10/3/2013-LA/109

The following Corrigenda issued to the Criminal Law (Amendment) Ordinance, 2013 (Ordinance No. 3 of 2013) and which is published in the Gazette of India, Extraordinary, Part II, Section I dated the 2nd April, 2013 (Issue No. 17), is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

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Corrigenda

The Criminal Law (Amendment) Ordinance, 2013 (Ord. 3 of 2013) as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 3rd February, 2013 (Issue No. 8):—

1. At page 11, in line 30, for “proviso”, read “provisos”.

2. At page 15, in column 3 against section 354C, in line 38, for “year”, read “years”.
3. At page 16, in line 1, for “sections”, read “section”.

Notification

10/3/2013-LA/106

The Copyright (Amendment) Act, 2012 (Central Act No. 27 of 2012), which has been passed by the Parliament and assented to by the President on 07-06-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 07-06-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

THE COPYRIGHT (AMENDMENT) ACT, 2012

AN

ACT

further to amend the Copyright Act, 1957.

Be it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Copyright (Amendment) Act, 2012.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Copyright Act, 1957^{14 of 1957} (hereinafter referred to as the principal Act),—

(i) in clause (f), the portion beginning with the words “on any medium” and ending with the words “produced by any means” shall be omitted;

(ii) after clause (f), the following clause shall be inserted, namely:—

‘(fa) “commercial rental” does not include the rental, lease or lending of a lawfully acquired copy of a computer programme, sound recording, visual recording or cinematograph film for non-profit purposes by a non-profit library or non-profit educational institution.’;

Explanation:— For the purposes of this clause, a “non-profit library or non-profit educational institution” means a library or educational institution which receives grants from the Government or exempted from payment of tax under the Income-tax Act, 1961.

(iii) for clause (ff), the following shall be substituted, namely:—

‘(ff) “communication to the public” means making any work or performance available for being seen or heard or otherwise enjoyed by the public directly or by any means of display or diffusion other than by issuing physical copies of it, whether simultaneously or at places and times chosen individually, regardless of whether any member of the public actually sees, hears or otherwise enjoys the work or performance so made available.

Explanation:— For the purposes of this clause, communication through satellite or cable or any other means of simultaneous communication to more than one household or place of residence including residential rooms of any hotel or hostel shall be deemed to be communication to the public;’;

(iv) in clause (qq), the following proviso shall be inserted, namely:—

“Provided that in a cinematograph film a person whose performance is casual or incidental in nature and, in the normal course of the practice of the industry, is not acknowledged anywhere including in the credits of the film shall not be treated as a performer except for the purpose of clause (b) of section 38B;”;

(v) after clause (x), the following clause shall be inserted, namely:—

‘(xa) “Rights Management Information” means,—

(a) the title or other information identifying the work or performance;

(b) the name of the author or performer;

(c) the name and address of the owner of rights;

(d) terms and conditions regarding the use of the rights; and

(e) any number or code that represents the information referred to in sub-clauses (a) to (d),

but does not include any device or procedure intended to identify the user;’;

(vi) after clause (xx), the following clause shall be inserted, namely:—

‘(xxa) “visual recording” means the recording in any medium, by any method including the storing of it by any electronic means, of moving images or of the representations thereof, from which they can be perceived, reproduced or communicated by any method;’;

3. *Amendment of section 11.*— In section 11 of the principal Act,—

(a) in sub-section (1), for the words “not less than two nor more than fourteen other members”, the words “two other members” shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The salaries and allowances payable to and the other terms and conditions of service of the Chairman and other members of the Copyright Board shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairman or any other member shall be varied to his disadvantage after appointment.”;

(c) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The Central Government may, after consultation with the Chairman of the Copyright Board, appoint a Secretary to the Copyright Board and such other officers and employees as may be considered necessary for the efficient discharge of the functions of the Copyright Board.”.

4. *Amendment of section 12.*— In section 12 of the principal Act, in sub-section (2), for the words “members, each Bench consisting of not less than three members”, the word “members” shall be substituted.

5. *Amendment of section 14.*— In section 14 of the principal Act,—

(i) in clause (c), for sub-clause (i), the following sub-clause shall be substituted, namely:—

“(i) to reproduce the work in any material form including—

(A) the storing of it in any medium by electronic or other means; or

(B) depiction in three-dimensions of a two-dimensional work; or

(C) depiction in two-dimensions of a three-dimensional work;”;

(ii) in clause (d),—

(a) for sub-clause (i) the following sub-clause shall be substituted, namely:—

“(i) to make a copy of the film, including—

(A) a photograph of any image forming part thereof; or

(B) storing of it in any medium by electronic or other means;”;

(b) for sub-clause (ii), the following sub-clause shall be substituted, namely:—

“(ii) to sell or give on commercial rental or offer for sale or for such rental, any copy of the film;”;

(iii) in clause (e),—

(a) in sub-clause (i) after the words “embodying it”, the words “including storing of it in any medium by electronic or other means” shall be inserted;

(b) for sub-clause (ii), the following sub-clause shall be substituted, namely:—

“(ii) to sell or give on commercial rental or offer for sale or for such rental, any copy of the sound recording;”.

6. *Amendment of section 15.*— In section 15 of the principal Act, for the words and figures, “Designs Act, 1911”, wherever they occur, the words and figures “Designs Act, 2000” shall be substituted.

2 of 1911.
16 of 2000.

7. *Amendment of section 17.*— In section 17 of the principal Act, in clause (e), the following proviso shall be inserted at the end, namely:—

Provided that in case of any work incorporated in a cinematograph work, nothing contained in clauses (b) and (c) shall affect the right of the author in the work referred to in clause (a) of sub-section (1) of section 13;”.

8. *Amendment of section 18.*— In section 18 of the principal Act, in sub-section (1), after the proviso, the following provisos shall be inserted, namely:—

“Provided further that no such assignment shall be applied to any medium or mode of exploitation of the work which did not exist or was not in commercial use at the time when the assignment was made, unless the assignment specifically referred to such medium or mode of exploitation of the work:

Provided also that the author of the literary or musical work included in a cinematograph film shall not assign or waive the right to receive royalties to be shared on an equal basis with the assignee of copyright for the utilisation of such work in any form other than for the communication to the public of the work

along with the cinematograph film in a cinema hall, except to the legal heirs of the authors or to a copyright society for collection and distribution and any agreement to contrary shall be void:

Provided also that the author of the literary or musical work included in the sound recording but not forming part of any cinematograph film shall not assign or waive the right to receive royalties to be shared on an equal basis with the assignee of copyright for any utilisation of such work except to the legal heirs of the authors or to a collecting society for collection and distribution and any assignment to the contrary shall be void.”.

9. *Amendment of section 19.*— In section 19 of the principal Act,—

(i) in sub-section (3), for the words “royalty payable, if any”, the words “royalty and any other consideration payable” shall be substituted;

(ii) after sub-section (7), the following sub-sections shall be inserted, namely:—

“(8) The assignment of copyright in any work contrary to the terms and conditions of the rights already assigned to a copyright society in which the author of the work is a member shall be void.

(9) No assignment of copyright in any work to make a cinematograph film shall effect the right of the author of the work to claim an equal share of royalties and consideration payable in case of utilisation of the work in any form other than for the communication to the public of the work, along with the cinematograph film in a cinema hall.

(10) No assignment of the copyright in any work to make a sound recording which does not form part of any cinematograph film shall affect the right of the author of the work to claim an equal share of royalties and consideration payable for any utilisation of such work in any form.”

10. *Amendment of section 19A.*— In section 19A of the principal Act,—

(i) in sub-section (2), in the second proviso, for the words “Provided further that”, the following shall be substituted, namely:—

“Provided further that, pending the disposal of an application for revocation of assignment under this sub-section, the Copyright Board may pass such order, as it deems fit regarding implementation of the terms and conditions of assignment including any consideration to be paid for the enjoyment of the rights assigned:—

Provided also that”;

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Every complaint received under sub-section (2) shall be dealt with by the Copyright Board as far as possible and efforts shall be made to pass the final order in the matter within a period of six months from the date of receipt of the complaint and any delay in compliance of the same, the Copyright Board shall record the reasons thereof.”.

11. *Amendment of section 21.*— In section 21 of the principal Act,—

(i) in sub-section (1), for the “words” the Registrar of Copyrights”, the words “the Registrar of Copyrights or by way of public notice” shall be substituted;

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) The Registrar of Copyrights shall, within fourteen days from the publication of the notice in the Official Gazette, post the notice on the official website of the Copyright Office so as to remain in the public domain for a period of not less than three years.”.

12. *Amendment of section 22.*— In section 22 of the principal Act, the brackets and words “(other than a photograph)” shall be omitted.

13. *Omission of section 25.*— Section 25 of the principal Act shall be omitted.

14. *Amendment of section 30.*— In section 30 of the principal Act, for the words “writing signed by him”, the words “writing by him” shall be substituted.

15. *Amendment of section 30A.*— In section 30A of the principal Act and in its marginal heading, for the words, figures and letter, “section 19 and 19A”, the word and figures “section 19” shall be substituted.

16. *Amendment of section 31.*— In section 31 of the principal Act,—

(i) in sub-section (1),—

(a) for the words “any Indian work”, the words “any work” shall be substituted;

(b) for the words “licence to the complainant” the words “licence to such person or persons who, in the opinion of the Copyright Board, is or are qualified to do so” shall be substituted;

(c) the *Explanation* shall be omitted;

(ii) sub-section (2) shall be omitted.

17. *Amendment of section 31A.*— In section 31A of the principal Act,—

(i) in the marginal heading, for the words “Indian works”, the words “or published works” shall be substituted;

(ii) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Where, in the case of any unpublished work or any work published or communicated to the public and the work is withheld from the public in India, the author is dead or unknown or cannot be traced, or the owner of the Copyright in such work cannot be found, any person may apply to the Copyright Board for a licence to publish or communicate to the public such work or a translation thereof in any language.”.

18. *Insertion of new sections 31B, 31C and 31D.*— After section 31A of the principal Act, the following sections shall be inserted, namely:—

“31B. *Compulsory licence for benefit of disabled.*— (1) Any person working for the benefit of persons with disability on a profit basis or for business may apply to the Copyright Board, in such form and manner and accompanied by such fee as may be prescribed, for a compulsory licence to publish any work in which copyright subsists for the benefit of such persons, in a case to which clause (zb) of sub-section (1) of section 52 does not apply and the Copyright Board shall disposed of such application as expeditiously as possible and endeavour shall be made to dispose of such application within a period of two months from the date of receipt of the application.

(2) The Copyright Board may, on receipt of an application under sub-section (1), inquire, or direct such inquiry as it considers necessary to establish the credentials of the applicant and satisfy itself that the application has been made in good faith.

(3) If the Copyright Board is satisfied, after giving to the owners of rights in the work a reasonable opportunity of being heard and after holding such inquiry as it may deem necessary, that a compulsory licence needs to be issued to make the work available to the disabled, it may direct the Registrar of Copyrights to grant to the applicant such a licence to publish the work.

(4) Every compulsory licence issued under this section shall specify the means and format of publication, the period during which the compulsory licence may be exercised and, in the case of issue of copies, the number of copies that may be issued including the rate or royalty:

Provided that where the Copyright Board has issued such a compulsory licence it may, on a further application and after giving reasonable opportunity to the

owners of rights, extend the period of such compulsory licence and allow the issue of more copies as it may deem fit.

31C. *Statutory licence for cover versions.*— (1) Any person desirous of making a cover version, being a sound recording in respect of any literary, dramatic or musical work, where sound recordings of that work have been made by or with the licence or consent of the owner of the right in the work, may do so subject to the provisions of this section:

Provided that such sound recordings shall be in the same medium as the last recording, unless the medium of the last recording is no longer in current commercial use.

(2) The person making the sound recordings shall give prior notice of his intention to make the sound recordings in the manner as may be prescribed, and provide in advance copies of all covers or labels with which the sound recordings are to be sold, and pay in advance, to the owner of rights in each work royalties in respect of all copies to be made by him, at the rate fixed by the Copyright Board in this behalf:

Provided that such sound recordings shall not be sold or issued in any form of packaging or with any cover or label which is likely to mislead or confuse the public as to their identity, and in particular shall not contain the name or depict in any way any performer of an earlier sound recording of the same work or any cinematograph film in which such sound recording was incorporated and, further, shall state on the cover that it is a cover version made under this section.

(3) The person making such sound recordings shall not make any alteration in the literary or musical work which has not been made previously by or with the consent of the owner of rights, or which is not technically necessary for the purpose of making the sound recordings:

Provided that such sound recordings shall not be made until the expiration of five calendar years after the end of the year in which the first sound recordings of the work was made.

(4) One royalty in respect of such sound recordings shall be paid for a minimum of fifty thousand copies of each work during each calendar year in which copies of it are made:

Provided that the Copyright Board may, by general order, fix a lower minimum in respect of works in a particular language or dialect having regard to the potential circulation of such works.

(5) The person making such sound recordings shall maintain such registers and books of account in respect thereof, including full details of existing stock as may be prescribed and shall allow the owner of rights or his duly authorised agent or representative to inspect all records and books of account relating to such sound recording:

Provided that if on a complaint brought before the Copyright Board to the effect that the owner of rights has not been paid in full for any sound recordings purporting to be made in pursuance of this section, the Copyright Board is, *prima facie*, satisfied that the complaint is genuine, it may pass an order *ex parte* directing the person making the sound recording to cease from making further copies and, after holding such inquiry as it considers necessary, make such further order as it may deem fit, including an order for payment of royalty.

Explanation:— For the purposes of this section “cover version” means a sound recording made in accordance with this section.

31D. *Statutory licence for broadcasting of literary and musical works and sound recording.*— (1) Any broadcasting organisation desirous of communicating to the public by way of a broadcast or by

way of performance of a literary or musical work and sound recording which has already been published may do so subject to the provisions of this section.

(2) The broadcasting organisation shall give prior notice, in such manner as may be prescribed, of its intention to broadcast the work stating the duration and territorial coverage of the broadcast, and shall pay to the owner of rights in each work royalties in the manner and at the rate fixed by the Copyright Board.

(3) The rates of royalty for radio broadcasting shall be different from television broadcasting and the Copyright Board shall fix separate rates for radio broadcasting and television broadcasting.

(4) In fixing the manner and the rate of royalty under sub-section (2), the Copyright Board may require the broadcasting organisation to pay an advance to the owners of rights.

(5) The names of the authors and the principal performers of the work shall, except in case of the broadcasting organisation communicating such work by way of performance, be announced with the broadcast.

(6) No fresh alteration to any literary or musical work, which is not technically necessary for the purpose of broadcasting, other than shortening the work for convenience of broadcast, shall be made without the consent of the owners of rights.

(7) The broadcasting organisation shall—

(a) maintain such records and books of account, and render to the owners of rights such reports and accounts; and

(b) allow the owner of rights or his duly authorised agent or representative to inspect all records and books of account relating to such broadcast, in such manner as may be prescribed.

(8) Nothing in this section shall affect the operation of any licence issued or any

agreement entered into before the commencement of the Copyright (Amendment) Act, 2012.”.

19. *Amendment of section 33.*— In section 33 of the principal Act,—

(i) in sub-section (1), for the words “provided further”, the following shall be substituted, namely:—

“Provided further that the business of issuing or granting licence in respect of literary, dramatic, musical and artistic works incorporated in a cinematograph films or sound recordings shall be carried out only through a copyright society duly registered under this Act:

Provided also”;

(ii) after sub-section (3), the following shall be inserted, namely:—

“(3A) The registration granted to a copyright society under sub-section (3) shall be for a period of five years and may be renewed from time to time before the end of every five years on a request in the prescribed form and the Central Government may renew the registration after considering the report of Registrar of Copyrights on the working of the copyright society under section 36:

Provided that the renewal of the registration of a copyright society shall be subject to the continued collective control of the copyright society shall be subject to the continued collective control of the copyright society being shared with the authors of works in their capacity as owners of copyright or of the right to receive royalty:

Provided further that every copyright society already registered before the coming into force of the copyright (Amendment) Act, 2012 shall get itself registered under this Chapter within a period of one year from the date of commencement of the Copyright (Amendment) Act, 2012.”;

(iii) in sub-sections (4) and (5), for the words “owners of rights”, the words “authors and other owners of right” shall be substituted;

(iv) in sub-section (5), after the word “concerned” the words “or for non-compliance of sections 33A, sub-section (3) of section 35 and section 36 or any change carried out in the instrument by which the copyright society is established or incorporated and registered by the Central Government without prior notice to it” shall be inserted.

20. *Insertion of new section 33A.*— After section 33 of the principal Act, the following section shall be inserted, namely:—

“33A. *Tariff Scheme by copyright societies.*— (1) Every copyright society shall publish its tariff scheme in such manner as may be prescribed.

(2) Any person who is aggrieved by the tariff scheme may appeal to the Copyright Board and the Board may, if satisfied after holding such inquiry as it may consider necessary, make such orders as may be required to remove any unreasonable element, anomaly or inconsistency therein:

Provided that the aggrieved person shall pay to the copyright society any fee as may be prescribed that has fallen due before making an appeal to the Copyright Board and shall continue to pay such fee until the appeal is decided, and the Board shall not issue any order staying the collection of such fee pending disposal of the appeal:

Provided further that the Copyright Board may after hearing the parties fix an interim tariff and direct the aggrieved parties to make the payment accordingly pending disposal of the appeal.”.

21. *Amendment of section 34.*— In section 34 of the principal Act, for the words “owner of rights”, wherever they occur, the words “author and other owners of right” shall be substituted.

22. *Omission of section 34A.*— Section 34A of the principal Act shall be omitted.

23. *Amendment of section 35.*— In section 35 of the principal Act and its marginal heading,—

(a) for the words “owners of rights”, wherever they occur, the words “author and other owners of right” shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

(3) Every copyright society shall have a governing body with such number of persons elected from among the members of the society consisting of equal number of authors and owners of work for the purpose of the administration of the society as may be specified.

(4) All members of copyrights society shall enjoy equal membership rights and there shall be no discrimination between authors and owners of rights in the distribution of royalties.

24. *Amendment of section 36A.*— In section 36A of the principal Act,—

(a) for the words “performing rights society”, the words “copyright society” shall be substituted;

(b) for the words, brackets and figures “the Copyright (Amendment) Act, 1994”, the words, ^{38 of 1994.} brackets and figures “the Copyright (Amendment) Act, 2012” shall be substituted.

25. *Amendment of section 37.*— In section 37 of the principal Act, in sub-section (3), for clause (e), the following clause shall be substituted, namely:—

“(e) sells or gives on commercial rental or offer for sale or for such rental, any such sound recording or visual recording referred to in clause (c) or clause (d),”.

26. *Amendment of section 38.*— In section 38 of the principal Act, sub-sections (3) and (4) shall be omitted.

27. *Insertion of new sections 38A and 38B.*— After section 38 of the principal Act, the following sections shall be inserted, namely:—

“38A. *Exclusive right of performers.*— (1) Without prejudice to the rights conferred on authors, the performer’s right which is an exclusive right subject to the provisions of this Act to do or authorise for doing any of the following acts in respect of the performance or any substantial part thereof, namely:—

(a) to make a sound recording or a visual recording of the performance, including—

(i) reproduction of it in any material form including the storing of it in any medium by electronic or any other means;

(ii) issuance of copies of it to the public not being copies already in circulation;

(iii) communication of it to the public;

(iv) selling or giving it on commercial rental or offer for sale or for commercial rental any copy of the recording;

(b) to broadcast or communicate the performance to the public except where the performance is already broadcast.

(2) Once a performer has, by written agreement, consented to the incorporation of his performance in a cinematograph film he shall not, in the absence of any contract to the contrary, object to the enjoyment by the producer of the film of the performer’s right in the same film:

Provided that, notwithstanding anything contained in this sub-section, the performer shall be entitled for royalties in case of making of the performances for commercial use.

38B. *Moral rights of the performer.*— The performer of a performance shall, independently of his right after assignment, either wholly or partially of his right, have the right,—

(a) to claim to be identified as the performer of his performance except where omission is dictated by the manner of the use of the performance; and

(b) to restrain or claim damages in respect of any distortion, mutilation or other modification of his performance that would be prejudicial to his reputation.

Explanation.— For the purposes of this clause, it is hereby clarified that mere removal of any portion of a performance for the purpose of editing, or to fit the recording within a limited duration, or any other modification required for purely technical reasons shall not be deemed to be prejudicial to the performer's reputation.

28. *Substitution of a new section for section 39A.*— For section 39A of the principal Act, the following section shall be substituted, namely:—

"39A. *Certain provisions to apply in case of broadcast reproduction right and performer's rights.*— (1) Sections 18, 19, 30, 30A, 33, 33A, 34, 35, 36, 53, 55, 58, 63, 64, 65, 65A, 65B and 66 shall, with necessary adaptations and modifications, apply in relation to the broadcast reproduction right in any broadcast and the performer's right in any performance as they apply in relation to copyright in a work:

Provided that where copyright or performer's right subsists in respect of any work or performance that has been broadcast no licence to reproduce such broadcast, shall be given without the consent of the owner of right or performer, as the case may be, or both of them:

Provided further that the broadcast reproduction right or performer's right shall not subsist in any broadcast or performance if that broadcast or performance is an infringement of the copyright in any work.

(2) The broadcast reproduction right or the performer's right shall not affect the separate copyright in any work in respect of which, the broadcast or the performance, as the case may be, is made."

29. *Amendment of section 40.*— In section 40 of the principal Act, in the proviso, in

clause (iii), after the words "the order relates", the words "but such a term of copyright shall not exceed the term of copyright provided under this Act" shall be inserted.

30. *Amendment of section 40A.*— In section 40A of the principal Act, in sub-section (2), in clause (ii), the following proviso shall be inserted, namely:—

"Provided that it does not exceed the period provided under this Act;"

31. *Amendment of section 45.*— In section 45 of the principal Act, in sub-section (1), in the proviso,—

(i) for the words "relation to any goods", the words "relation to any goods or services" shall be substituted;

(ii) for the words and figures "section 4 of the Trade and Merchandise Marks Act, 1958" ^{43 of 1958.} the words and figures "section 3 of the Trade Marks Act, 1999" ^{47 of 1999.} shall be substituted.

32. *Amendment of section 52.*— In section 52 of the principal Act, in sub-section (1),—

(i) for clause (a) the following clause shall be substituted, namely:—

(a) a fair dealing with any work, not being a computer programme, for the purposes of—

(i) private or personal use, including research;

(ii) criticism or review, whether of that work or of any other work;

(iii) the reporting of current events and current affairs, including the reporting of a lecture delivered in public.

Explanation.— The storing of any work in any electronic medium for the purposes mentioned in this clause, including the incidental storage of any computer programme which is not

itself an infringing copy for the said purposes, shall not constitute infringement of copyright.”;

(ii) for clauses (b), (c), (d), (e), (f), (g), (h), (i), and (j), the following shall be substituted, namely:—

“(b) the transient or incidental storage of a work or performance purely in the technical process of electronic transmission or communication to the public;

(c) transient or incidental storage of a work or performance for the purpose of providing electronic links, access or integration, where such links, access or integration has not been expressly prohibited by the right holder, unless the person responsible is aware or has reasonable grounds for believing that such storage is of an infringing copy:

Provided that if the person responsible for the storage of the copy has received a written complaint from the owner of copyright in the work, complaining that such transient or incidental storage is an infringement, such person responsible for the storage shall refrain from facilitating such access for a period of twenty-one days or till he receives an order from the competent court refraining from facilitating access and in case no such order is received before the expiry of such period of twenty-one days, he may continue to provide the facility of such access;

(d) the reproduction of any work for the purposes of a judicial proceeding or for the purpose of a report of a judicial proceeding;

(e) the reproduction or publication of any work prepared by the Secretariat of a Legislature or, where the Legislature consists of two Houses, by the Secretariat of either House of the Legislature, exclusively for the use of the members of that Legislature;”;

(f) the reproduction of any work in a certified copy made or supplied in accordance with any law for the time being in force;

(g) the reading or recitation in public of reasonable extracts from a published literary or dramatic work;

(h) the publication in a collection, mainly composed of non-copyright matter, *bona fide* intended for instructional use, and so described in the title and in any advertisement issued by or on behalf of the publisher, of short passages from published literary or dramatic works, not themselves published for such use in which copyright subsists:

Provided that not more than two such passages from works by the same author are published by the same publisher during any period of five years.

Explanation:— In the case of a work of joint authorship, references in this clause to passages from works shall include references to passages from works by any one or more of the authors of those passages or by any one or more of those authors in collaboration with any other person;

(i) the reproduction of any work—

(i) by a teacher or a pupil in the course of instruction; or

(ii) as part of the questions to be answered in an examination; or

(iii) in answers to such questions;

(j) the performance, in the course of the activities of an educational institution, of a literary, dramatic or musical work by the staff and students of the institution, or of a cinematograph film or a sound recording if the audience is limited to such staff and students, the parents and guardians of the students and persons connected with the activities of the institution or the communication to such an audience of a cinematograph film or sound recording;”;

(iii) for clause (n), the following clause shall be substituted, namely:—

“(n) the storing of a work in any medium by electronic means by a non-commercial public library, for preservation if the library already possesses a non-digital copy of the work;”;

(iv) in clause (o), for the words “public library”, the words, “non-commercial public library” shall be substituted;

(v) after clause (v), the following clause shall be inserted, namely:—

“(w) the making of a three-dimensional object from a two-dimensional artistic work, such as a technical drawing, for the purposes of industrial application of any purely functional part of a useful device;

(vi) in clause (y), for the words “dramatic or”, the words “dramatic, artistic or” shall be substituted;

(vii) after clause (za) and the *Explanation* thereunder, the following shall be inserted, namely:—

“(zb) the adaptation, reproduction, issue of copies or communication to the public of any work in any accessible format, by—

(i) any person to facilitate persons with disability to access to works including sharing with any person with disability of such accessible format for private or personal use, educational purpose or research; or

(ii) any organisation working for the benefit of the persons with disabilities in case the normal format prevents the enjoyment of such works by such persons:

Provided that the copies of the works in such accessible format are made available to the persons with disabilities on a non-profit basis but to recover only the cost of production:

Provided further that the organisation shall ensure that the copies of works in

such accessible format are used only by persons with disabilities and takes reasonable steps to prevent its entry into ordinary channels of business.

Explanation:— For the purposes of this sub-clause, “any organisation” includes and organisation registered under section 12A of the Income-tax Act, 1961 and working for the benefit of persons with disability or recognised under Chapter X of the Persons with Disabilities (Equal Opportunities, Protection or Rights and full Participation) Act, 1995 or receiving grants from the Government for facilitating access to persons with disabilities or an educational institution or library or archives recognised by the Government.”.

(zc) the importation of copies of any literary or artistic work, such as labels, company logos or promotional or explanatory material, that is purely incidental to other goods or products being imported lawfully.”.

33. *Omission of section 52B.*— Section 52B of the principal Act shall be omitted.

34. *Substitution of new section for section 53.*— For section 53 of the principal Act, the following section shall be substituted, namely:—

“53. *Importation of infringing copies.*— (1) The owner of any right conferred by this Act in respect of any work or any performance embodied in such work, or his duly authorised agent, may give notice in writing to the Commissioner of Customs, or to any other officer authorised in this behalf by the Central Board of Excise and Customs,—

(a) that he is the owner of the said right, with proof thereof; and

(b) that he requests the Commissioner for a period specified in the notice, which shall not exceed one year, to treat infringing copies of the work as prohibited goods, and that infringing copies of the work are expected to arrive in India at a time and a place specified in the notice.

(2) The Commissioner, after scrutiny of the evidence furnished by the owner of the right and on being satisfied may, subject to the provisions of sub-section (3), treat infringing copies of the work as prohibited goods that have been imported into India, excluding goods in transit:

Provided that the owner of the work deposits such amount as the Commissioner may require as security having regard to the likely expenses on demurrage, cost of storage and compensation to the importer in case it is found that the works are not infringing copies.

(3) When any goods treated as prohibited under sub-section (2) have been detained, the Customs Officer detaining them shall inform the importer as well as the person who gave notice under sub-section (1) of the detention of such goods within forty-eight hours of their detention.

(4) The Customs Officer shall release the goods, and they shall no longer be treated as prohibited goods, if the person who gave notice under sub-section (1) does not produce any order from a court having jurisdiction as to the temporary or permanent disposal of such goods within fourteen days from the date of their detention.”.

35. *Amendment of section 55.*— In section 55 of the principal Act, in sub-section (2), for the portion beginning with the words “a name purporting to be” and ending with the words “as the case may be, appears”, the following shall be substituted, namely:—

“or, subject to the provisions of sub-section (3) of section 13, a cinematograph film or sound recording, a name purporting to be that of the author, or the publisher, as the case may be, of that work, appears”.

36. *Amendment of section 57.*— In section 57 of the principal Act,—

(i) in sub-section (1), in clause (b), the words “which is done before the expiration of the term of copyright” shall be omitted;

(ii) in sub-section (2), the words “other than the right to claim authorship of the work” shall be omitted.

37. *Insertion of new sections 65A and 65B.*— After section 65 of the principal Act, the following sections shall be inserted, namely:—

“65A. *Protection of technological measures.*— (1) Any person who circumvents an effective technological measure applied for the purpose of protecting any of the rights conferred by this Act, with the intention of infringing such rights, shall be punishable with imprisonment which may extend to two years and shall also be liable to fine.

(2) Nothing in sub-section (1) shall prevent any person from,—

(a) doing anything referred to therein for a purpose not expressly prohibited by this Act:

Provided that any person facilitating circumvention by another person of a technological measure for such a purpose shall maintain a complete record of such other person including his name, address and all relevant particulars necessary to identify him and the purpose for which he has been facilitated; or

(b) doing anything necessary to conduct encryption research using a lawfully obtained encrypted copy; or

(c) conducting any lawful investigation; or

(d) doing anything necessary for the purpose of testing the security of a computer system or a computer network with the authorisation of its owner; or

(e) operator; or

(f) doing anything necessary to circumvent technological measures intended for identification or surveillance of a user; or

(g) taking measures necessary in the interest of national security.

65B. *Protection of Rights Management Information.*— Any person, who knowingly,—

(i) removes or alters any rights management information without authority, or

(ii) distributes, imports for distribution, broadcasts or communicates to the public, without authority, copies of any work, or performance knowing that electronic rights management information has been removed or altered without authority,

shall be punishable with imprisonment which may extend to two years and shall also be liable to fine:

Provided that if the rights management information has been tampered with in any work, the owner of copyright in such work may also avail of civil remedies provided under Chapter XII against the persons indulging in such acts.”.

38. *Amendment of section 66.*— In section 66 of the principal Act, after the words “delivered up to the owner of the copyright,” the words “or may make such order as it may deem fit regarding the disposal of such copies or plates” shall be inserted.

39. *Amendment of section 78.*— In section 78 of the principal Act, in sub-section (2),—

(i) for clause (a), the following clause shall be substituted, namely:—

(a) the salaries and allowances payable to and the other terms and conditions of service of the chairman and other

members of the Copyright Board under sub-section (2) of section 11;

(ii) after clause (c), the following clauses shall be inserted, namely:—

“(cA) the form and manner in which an organisation may apply to the Copyright Board for compulsory licence for disabled and the fee which may accompany such application under sub-section (1) of section 31B;

(cB) the manner in which a person making sound recording may give prior notice of his intention to make sound recording under sub-section (2) of section 31C;

(cC) the register and books of account and the details of existing stock which a person making sound recording may maintain under sub-section (5) of section 31C;

(cD) the manner in which prior notice may be given by a broadcasting organisation under sub-section (2) of section 31D;

(cE) the reports and accounts which may be maintained under clause (a), and the inspection of records and books of account which may be made under clause (b) of sub-section (7) of section 31D;”;

(iii) after clause (cc), the following clauses shall be inserted, namely:—

“(ccA) the manner in which a copyright society may publish its Tariff Scheme under sub-section (1) of section 33A;

(ccB) the fee which is to be paid before filing an appeal to the Copyright Board under sub-section (2) of section 33A;”;

(ccC) the form of application for renewal of registration of a copyright society and the fee which may accompany such application under sub-section (3A) of section 33;

(iv) clause (db) shall be omitted.

Department of Panchayati Raj and
Community Development

Directorate of Panchayats

Notification

17/142/DP-ACCT/Grant of Fin/Asstt. Scheme/2013-14

WHEREAS the Government of Goa has notified the Goa (Grant of Financial Assistance to economically Weaker Panchayats for strengthening their Administration) Scheme, 2008 vide Notification No.17/142/DP-Acct/ /Grants of Fin/Asstt. Scheme dated 2nd February, 2009 which is published in the Official Gazette No. 46 Series I dated 12-02-2009.

AND WHEREAS in terms of clause 3 of the above said scheme it is necessary to notify the list of Weaker Panchayats eligible for grants from the Government under the above said scheme and other schemes of the State Government.

NOW THEREFORE after assessment of the income and expenditure of every Panchayat in the manner provided in the above said scheme the Village Panchayats as listed in the Annexure appended hereto have been identified as Weaker Panchayats eligible for grants from the Government for the year 2013-14. The quantum of grants that shall be sanctioned to the Weaker Panchayats under the above said scheme or any other scheme of the State Government shall be notified separately by the Director of Panchayats.

By order and in the name of the Governor
of Goa.

Narayan Sawant, Director & ex officio Joint
Secretary (Panchayats).

Panaji, 29th August, 2013.

**List of Weaker Panchayats for the year
2013-14**

Sr. No.	Name of Block	Name of the Panchayats
1	2	3
1.	TISWADI BLOCK	1. St. Lawrence (Agassaim) 2. V. P. Azossim Mandur 3. V. P. Batim 4. V. P. Carambolim 5. V. P. Chodan Madel 6. V. P. Cumbarjua 7. V. P. Goltim-Navelim 8. V. P. Sao Matias 9. V. P. Siridao-Palem
2.	PERNEM BLOCK	1. Agarwada-Chopdem. 2. Morjim 3. Paliem 4. Parcem 5. Querim-Terekhol 6. Tuem 7. Allorna 8. Casnem-Amere- -Porascadem 9. Casarvarnem 10. Chandel-Hasapur 11. Corgao 12. Dhargal 13. Ibrampur-Hankhane 14. Ozarim 15. Tamboxem- -Mopa-Ugvem 16. Torxem 17. Warkhand-Nagzar
3.	BARDEZ TALUKA	1. Aldona 2. Assonora

1	2	3	1	2	3
		3. Camurlim	6.	SANGUEM BLOCK	1. Curdi-Vadem
		4. Moira			2. Neturlim
		5. Nachinola			3. Uguem
		6. Nadora	7.	SATARI BLOCK	1. Bhirondem
		7. Oxel			2. Cotorem
		8. Parra			3. Dongurli-Thane
		9. Pirna			4. Guleli
		10. Pomburpa-Olaulim			5. Nagargao
		11. Revora			6. Poriem
		12. Saligao			
		13. Sangolda	8.	PONDA BLOCK	1. Bandora
		14. Siolim-Sodiem			2. Durbhat
		15. Ucas-Paliem-			3. Querim
		-Punola			4. Volvoi
		16. Verla-Canca			5. Wadi-Telaulim
4.	CANACONA BLOCK	1. V. P. Shristhal	9.	BICHOLIM BLOCK	1. Advalpale
		2. V. P. Cotigao			2. Mencrem-Dhumacem
		3. V. P. Gaondongrem			3. Mulgao
		4. V. P. Agonda			4. Naroa
		5. V. P. Poinguinim			5. Ona-Maulingem-
		6. V. P. Cola			-Curchirem
					6. Salem
5.	QUEPEM BLOCK	1. Ambaulim	10.	MORMUGAO BLOCK	1. Chicolna
		2. Assolda			2. Velsao-Pale-Issorcim
		3. Avedem-Cothombi-			
		-Chaifi	11.	SALCETE BLOCK	1. Ambelim
		4. Balli-Adnem			2. Assolna
		5. Barcem-Quedem			3. Chandor-Cavorim
		6. Caurem-Pirla			4. Davorlim-Dicarpale
		7. Fatorpa-Quitol			5. Dramapur-Sirlim
		8. Molcornem			6. Macazana
		9. Morpirla			7. Rachol
		10. Naqueri-Betul			8. Sarzora
		11. Xeldem			9. Telaulim

Department of Power

Office of the Chief Electrical Engineer

Notification

120/03/JERC-FPPCA/CEE/Tech

Joint Electricity Regulatory Commission for the State of Goa and Union Territories has notified Fuel and Power Purchase Cost Adjustment Formula (FPPCA) Order dated 27-06-2012 in compliance of judgement dated 11-11-2011 in O. P. No. 1 and as required to be specified under Clause 7(2) of JERC for State of Goa and UTs (Terms and Conditions for determination of Tariff) Regulations 2009. Further JERC vide Tariff Order dated 31st March, 2013 has approved 'K' factor for FY 2013-14 applicable for different consumer categories for use in the FPPCA formula.

The levy of FPPCA for 2nd Quarter (July to September, 2013) to be levied in the month of November, December, 2013 and January, 2014 is hereby brought to the notice of the general public.

By order and in the name of the Governor of Goa.

S. Lekshmanan, Chief Electrical Engineer & ex officio Additional Secretary.

Panaji, 30th October, 2013.

Levy of FPPCA (July to September, 2013) in the month of November, December 2013 and January, 2014

Sr. No.	Category of Consumer	'K' Factor	Monthly FPPCA (Paisa/Unit)
A	LOW TENSION SUPPLY		
1(a)	Tariff LTD/Domestic and Non-Commercial		
	<i>First 60 Units</i>	0.34	-
	<i>61 to 250 Units</i>	0.45	-1.00
	<i>251 to 500 Units</i>	0.74	-1.00
	<i>Above 500 Units</i>	0.87	-1.00
1(b)	Tariff LTD/Low Income Group	0.00	0.00
1(c)	Tariff LTD/Domestic Mixed		
	<i>First 400 Units</i>	0.74	-1.00
	<i>Above 400 Units</i>	1.01	-1.00
2	Tariff-LTC/Commercial		
	<i>First 100 Units</i>	0.85	-1.00
	<i>From 101 to 1000 Units</i>	1.08	-1.00
	<i>All Consumption above 1000 Units</i>	1.20	-2.00
3 (a)	Tariff-LTP/Motive Power		
	<i>Connected Load upto 50 HP</i>	1.01	-1.00
	<i>Connected Load above 50 HP</i>	1.17	-2.00
3 (b)	Tariff-LTP/Ice Manufacturing		
	<i>Connected Load upto 100 HP</i>	1.17	-2.00
3(c)	Tariff-LTP/Mixed (Hotel Industries)	1.12	-2.00

Sr. No.	Category of Consumer	'K' Factor	Monthly FPPCA (Paisa/Unit)
4	Tariff-LTAG/Agriculture	0.00	0.00
5	Tariff-LTPL/Public Lighting	0.89	-1.00
6	Tariff-LT PWW/Public Water Works	1.16	-2.00
B	HIGH TENSION SUPPLY		
7	Tariff HT-Mixed	1.01	-1.00
8 (a)	Tariff HTI/Industrial	1.12	-2.00
8 (b)	Tariff HTI/Hotel Industries	1.12	-2.00
8 (c)	Tariff HTI/Ice Manufacturing	0.96	-1.00
9	H.T. Industrial (Ferro Metallurgical/Steel Melting/ /Power Intensive)		
	<i>First 300 Units/kVA</i>	0.97	-1.00
	<i>Next 200 Units/kVA</i>	1.04	-1.00
	<i>Above 500 Units/kVA</i>	1.11	-2.00
10	Tariff-HTAG/Agriculture	0.00	0.00
11	EHTI/Industrial	1.14	-2.00
12	H.T. PW/Public Water Supply and Sewage	0.96	-1.00
13	H.T. MES/Defence Establishments	0.98	-1.00
14	H.T. Industrial (Steel Rolling)		
	<i>First 200 Units/kVA</i>	1.02	-1.00
	<i>Next 100 Units/kVA</i>	1.17	-2.00
	<i>Above 300 Units/kVA</i>	1.35	-2.00
15	Tariff HT-Industries (IT High Tech)	0.96	-1.00
C	TEMPORARY SUPPLY		-
16	Tariff-LT/Temporary	0.00	0.00
17	Tariff-HT/Temporary	0.00	0.00

◆◆◆

Department of Public Health

Corrigendum

48/30/2008-I/PHD

Read: Order No. 48/30/2008-I/PHD dated
07-08-2009.

In the Government order cited above, the
posts of MPHWS (F) and Patient Attendant at

Sub-Centre Pissurlem under PHC Sanquelim
mentioned at Sr. No. 8 shall be substituted to
read as "under CHC Valpoi" at Sr. No. 4.

By order and in the name of the
Governor of Goa.

D. G. Sardesai, Additional Secretary
(Health).

Porvorim, 22nd October, 2013.

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